



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/371,687	08/10/1999	ERIN DRAKELEY O'BRIEN	08575/048001	9542

26161 7590 11/04/2005

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

MILEF, ELDA G

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/371,687	Applicant(s) O'BRIEN ET AL.	
	Examiner Elda Milef	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13,15-25 and 27-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15-25 and 27-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3628

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9-12, 21-24, 33-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Breneman (US 5,974,135).

Breneman discloses a computer implemented method for providing access to an account of a second party (customer's account, col.1, lines 25-35) comprising receiving identification information (agent signs on, col. lines 8-64, especially lines 10-14; and line 48; agent's passwords, col. lines 64-67; col. 12, lines 13-26; lines 11-16; col.

18)

associated with first party (agent, col. 1, lines 16-35: col. lines 41-54)

that does not contain an authenticator of the second party

Art Unit: 3628

(agent receives right to access customer's accounts without having to use any customer passwords, col. 6; the agent can display the customer account data, col. 7, lines 1-6; col. 10, lines 38-57)

based on the ID information (see above) receiving account information that defines a right (agent's access level, col. 9, lines 37-52) of the first party to access account data associated with account of second party (after agent logs on, col. 6; their user ID and password are validated, col. 12, lines 14-26; col. 18, lines 1-51 they can see customer data and help the customers make reservations, col. 1, lines 18-24), as specified in claims 9, 12, 21-24, 33-36;

obtaining account information from the storage device (customer account data, col. 6, lines 54-64; col. 13, lines 26-64), and determining/verifying if the first party is entitled to the account access (agent's access level, col. lines 37-52; after agent logs on, col. 6; their user ID and password are validated, col. 12, lines 14-26; col. lines 1-51 they can see customer data), as specified in claims 10, 11, 12;

a program that controls access to the account (e.g., program with search capabilities, col. 13, lines 26-64), specified in claim 11;

providing access to a second program (using subroutines,

Art Unit: 3628

using IE, col. 9, lines 1-15 or col. 13, line 38-col. 14, line 4; Figs. 15-16), as specified in claim 23-24:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5-8, 13, 17-20, 25, 29-32, 37-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman in view of Pacifici et al. (US Patent No. 6,230,171).

Re claims 1,5,6: Breneman discloses a computer implemented method for providing access to an account of a second party (customer's account, col.1, lines 25-35) comprising receiving identification information (agent signs on, col. lines 8-64, especially lines 10-14; and line 48; agent's passwords, col. lines 64-67; col. 12, lines 13-26; lines 11-16; col. 18) associated with first party (agent, col. 1, lines 16-35: col. lines 41-54)

Art Unit: 3628

that does not contain an authenticator of the second party (agent receives right to access customer's accounts without having to use any customer passwords, col. 6; the agent can display the customer account data, col. 7, lines 1-6; col. 10, lines 38-57)

based on the ID information (see above) receiving account information that defines a right (agent's access level, col. 9, lines 37-52) of the first party to access account data associated with account of second party (after agent logs on, col. 6; their user ID and password are validated, col. 12, lines 14-26; col. 18, lines 1-51 they can see customer data and help the customers make reservations, col. 1, lines 18-24)

providing access to the program based on the access information and the account information (agent data, col. 6, lines 8-22; col. 9, lines 37-44; col. 12, lines 14-26; customer account data, col. 6, lines 54-64; col. 13, lines 38-64).

the enabling comprising displaying a Web page including information corresponding to the account data, the displayed Web page (the various host computer systems 230 may be physically distributed onto different computer systems and locations, and communicate over a wide area network...) -see col. 7, lines 51-53 and (This module contains the functionality needed to browse hypermedia data, including the ability to render HTML, SGML, PDF

Art Unit: 3628

or other document description languages, execute Java or other applets, and communicate with the hypermedia server 260, In the preferred embodiment, the hypermedia module 304 is provided by a browser object from Microsoft Corp.'s Internet Explorer...") - see col. 9, lines 7-15.

Breneman do not specifically disclose:

having an appearance that is substantially similar to an appearance of a Web page displayed when the second party accesses the account data. Pacifici, however, teaches "Mechanisms for synchronizing the views, of the participants of a Web co-browsing session, to a unified consistent view of the shared HTML document are also utilized for the correct realization of the markup functions. Two approaches for synchronization are presented: the hard synchronization approach which implements a complete What You See Is What I See (WYSIWIS) environment, and the flexible synchronization approach, which gives more freedom to the participants in deciding on the visible portions of the shared document in their browsers, while keeping a consistent layout for the document and markup HTML components. ") - see col. 3, lines 28-38. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to include being able to display the same or different data among the

Art Unit: 3628

participants as taught by Pacifici so as to permit varied levels of access to the participants.

Re claim 7: Breneman do not specifically disclose wherein the displayed Web page has an appearance that is identical to an appearance of a Web page displayed when the second party accesses the account data. Pacifici, however, teaches ("Mechanisms for synchronizing the views, of the participants of a Web co-browsing session, to a unified consistent view of the shared HTML document are also utilized for the correct realization of the markup functions. Two approaches for synchronization are presented: the hard synchronization approach which implements a complete What You See Is What I See (WYSIWIS) environment, and the flexible synchronization approach, which gives more freedom to the participants in deciding on the visible portions of the shared document in their browsers, while keeping a consistent layout for the document and markup HTML components. ") -see col. 3, lines 28-38. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to include being able to display the same or different data among the participants as taught by Pacifici so as to permit varied levels of access to the participants.

Art Unit: 3628

Re claim 8: Breneman disclose changing a parameter associated with the account data. ("The configuration data may also include definitions of the screens locations of data fields...to allow extracting data from, and writing data to...")-see col. 6, lines 18-23.

Re claims 13, 17,18,19,20: Further a computer program would have been necessary to perform the method of previously rejected claims 1,5,6,7,8 respectively and are therefore rejected using the same art and rationale.

Re claim 25: Breneman disclose the limitations as in claim 1 above, and further Breneman disclose an apparatus comprising a memory and a processor (computers fig. 2; 206, 311, 208, 304, Fig. 3; cols. 5-8).

Re claims 29 ,30, 31,32: Further an apparatus comprising a processor would have been necessary to perform the method of previously rejected claims 5,6,7,8 respectively, and are therefore rejected using the same art and rationale.

Re claims 37-39: Breneman disclose using HTTP (col. 5, lines 60-67; col. 6, lines 1-6; col. 9.,lines 4-15).

Re claims 40, 41, and 42 have similar limitations found in claims 1,13,and 25 above, and therefore are rejected by the same rationale.

Art Unit: 3628

Re claim 43: Breneman disclose wherein the authenticator is a password ("This configuration includes for each agent, identification information such data as user ID's , authentication information (passwords, certificates)...")-see col. 6, lines 11-14, col. 12, lines 14-26, col. 18, lines 1-51).

4. Claims 3-4, 15-16, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman in view of Pacifici as applied to claims 1, 13, and 25 above, and in further view of Sikorski, (Sikorski, Robert, and Richard Peters, *A Privacy Primer for the Web*. JAMA. Vol. 279, No. 15, pp. 1219-1220; April 15, 1998).

Breneman discloses using a password the purposes of a host session (e.g., col. lines 1-51) and using browsers such as IE (col. 9, lines 1-15), Breneman fails to particularly call for the details involved with using IE and cookies, and as such fails to particularly call for using a text file or cookies, as specified in claims 3-4, 15-16, and 27-28.

Sikorski teaches using a text file or cookies ("Cookies are an oddly named software feature that is built into most Web browsers in use today. Cookies are small pieces of data (the size of words) that reside on the computer in a simple file, called,

Art Unit: 3628

depending on the browser, either the cookie file or magic cookie file. When a user visits a Web site, the site can send back commands that will deposit small pieces of information into the computer's cookie file. Cookies can be a great convenience if used to store an identification number or password when a user logs into a secure site. During the next visit, the site can automatically read the contents of the cookie file, get the password, verify that the visitor is authorized to enter, and allow his or her entry without the user having to log in again from scratch. All of this can occur behind the scenes, without the user's knowledge. The cookie file also can be used to hold information about the items selected by a user doing some online shopping. When it is time to make the actual purchase, the cookie file is decoded and used to determine the items selected for billing to a previously entered credit card account.") -see p. 2, col. 2, pars. 2-3.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman and Pacifici to use cookies as was disclosed by Sikorski which are in fact text files because Breneman discloses using a password the purposes of a host session and using browsers such as IE. Doing so would allow for agents login to be remembered so

Art Unit: 3628

the agent would not have to login every time they need to access a Customer's account.

5. Claims 44,46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman in view of Pacifici as applied to claim 1 above, and further in view of Star (US PG. Pub. No. US 2003/0216990).

Re claim 44: Breneman and Pacifici do not specifically disclose wherein the account comprises one or more of the following : a retirement account, an investment account, and a benefits account. Star however shows ("the system provides an integrated package that integrates financial service providers ...a retirement plan service provider")-see para. 9.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman and Pacifici to include managing online financial services including retirement plans as was shown by Star in order to provide control over transactions and accounts to authorized agents.

Re claims 46, 47, 48: Breneman and Pacifici do not specifically disclose maintaining session information that tracks activities of the first party during a session and displaying indicia to visually indicate that the first part is accessing an account to another and restricting an ability of

Art Unit: 3628

the first party to modify account data. In regards to claim 46 and 47, Star shows ("In a further optional embodiment, the access controller may also create a log of each users transactions, and maintain the log in file that can be viewed by the root user.")-see para. 27, last sentence and in regards to restricting the ability to modify data, Star discloses ("For example, the root user, or admin, can provide users with read only access to the company account information. Further, the root user may restrict a subaccount user to certain transactions.")- see para. 27. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman and Pacifici to include creating a log of user transactions to be shown to the root user or admin and providing restrictions such as read only access to certain users as was done by Star in order to provide another level of account security.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman in view of Pacifici as applied to claim 1 above, and further in view of Trowbridge (Trowbridge, Dave. VARs Find Profit in Crime. Computer Technology Review. Los Angeles: Jul 1992. Vol. 12, Iss. 8; pg. 1, 3 pgs.

Art Unit: 3628

Re claim 45: Breneman and Pacifici do not specifically disclose determining whether a predetermined time of inactivity has been exceeded, and if so, denying the first party access to the account data. It is well known to one having ordinary skill in the art that an automatic log-off of a user occurs after a period of inactivity as evidenced by Trowbridge, p.4, para. 6. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman and Pacifici to include an automatic log-off after a period of inactivity, as shown by Trowbridge in order to provide another level of security.

7. Claims 49, 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman as applied to claim 9 above, and further in view of Star.

Re claim 49: Breneman do not specifically disclose wherein the account comprises one or more of the following : a retirement account, an investment account, and a benefits account. Star however shows ("the system provides an integrated package that integrates financial service providers ...a retirement plan service provider")-see para. 9.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to

Art Unit: 3628

include managing online financial services including retirement plans as was shown by Star in order to provide control over transactions and accounts to authorized agents.

Re claims 52, 53, 54: Breneman do not specifically disclose maintaining session information that tracks activities of the first party during a session and displaying indicia to visually indicate that the first part is accessing an account to another and restricting an ability of the first party to modify account data. In regards to claim 52 and 53, Star shows ("In a further optional embodiment, the access controller may also create a log of each users transactions, and maintain the log in file that can be viewed by the root user.")-see para. 27, last sentence and in regards to restricting the ability to modify data, Star discloses ("For example, the root user, or admin, can provide users with read only access to the company account information. Further, the root user may restrict a subaccount user to certain transactions.")- see para. 27. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to include creating a log of user transactions to be shown to the root user or admin and providing restrictions such as read only access to certain users as was done by Star in order to provide another level of account security.

8. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman as applied to claim 9 above, and further in view of Pacifici.

Re claim 50: Breneman do not specifically disclose based on the determination, displaying a Web page including information corresponding to the account data, the displayed Web page having an appearance that is substantially similar to an appearance of a Web page displayed when the second party accesses the account data. Pacifici, however, teaches ("Mechanisms for synchronizing the views, of the participants of a Web co-browsing session, to a unified consistent view of the shared HTML document are also utilized for the correct realization of the markup functions. Two approaches for synchronization are presented: the hard synchronization approach which implements a complete What You See Is What I See (WYSIWIS) environment, and the flexible synchronization approach, which gives more freedom to the participants in deciding on the visible portions of the shared document in their browsers, while keeping a consistent layout for the document and markup HTML components. ") -see col. 3, lines 28-38. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to include being able to display the

Art Unit: 3628

same or different data among the participants as taught by Pacifici so as to permit varied levels of access to the participants.

9. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breneman as applied to claim 9 above, and further in view of Trowbridge (Trowbridge, Dave. VARs Find Profit in Crime. Computer Technology Review. Los Angeles: Jul 1992. Vol. 12, Iss. 8; pg. 1, 3 pgs.

Re claim 51: Breneman do not specifically disclose determining whether a predetermined time of inactivity has been exceeded, and if so, denying the first party access to the account data. It is well known to one having ordinary skill in the art that an automatic log-off of a user occurs after a period of inactivity as evidenced by Trowbridge, p.4, para. 6. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Breneman to include an automatic log-ff after a period of inactivity, as shown by Trowbridge in order to provide another level of security.

Response to Arguments

Art Unit: 3628

10. Applicant's arguments with respect to claims 1,3-13,15-25,and 27-43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elda

Art Unit: 3628

Milef whose telephone number is (571)272-8124. The examiner can normally be reached on Monday - Friday 9:15 am to 5:45 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571)272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3628